

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

LOUISE PANITZ as Administrator Of the Estate of BURTON PANITZ,	:	MDL No: 2419 Master Docket No: 1:13-md2419-FDS
Plaintiff,	:	Honorable F. Dennis Saylor
v.	:	<u>DEMAND FOR JURY TRIAL</u>
UNIFIRST CORPORATION, A/D/B/A UNICLEAN CLEANROOM SERVICES,	:	

SHORT FORM COMPLAINT
AGAINST UNAFFILIATED DEFENDANTS

Plaintiffs, LOUISE PANITZ as Administrator of the Estate of BURTON PANITZ, complaining against the Defendants alleges as follows:

1. Pursuant to MDL Order No. 3, entered in *In Re: New England Compounding Pharmacy, Inc.* Products Liability Litigation, Master Docket No. 1:13-md-2419-FDS, the undersigned counsel hereby submits this Short Form Complaint and Jury Demand against the Defendants, and adopt and incorporate by reference the allegations in the Plaintiffs' Master Complaint, with attachments, and any and all amendments thereto.

2. Plaintiff is a resident of the State of New York.

3. Plaintiff brings this action as the Administrator of the Estate of Burton Panitz, who died on September 16, 2012. Plaintiff is Burton Panitz's spouse.

4. Plaintiff asserts that the Plaintiff was administered New England Compounding, Inc. ("NECC") drug low K cardioplegia solution (hereinafter referred to as "NECC drug"), causing injuries and damages.

5. The aforesaid administration of the NECC drug occurred on July 31, 2012 at TriStar Centennial Medical Center located at 2300 Patterson Street, Nashville, Tennessee 37203.

6. Plaintiff adopts and incorporates by reference the following Causes of Action asserted against the Defendants in the Master Complaint:

COUNT II: Negligence and Gross Negligence (Against UniFirst)

COUNT VI: Violation of M.G.L.C. 93A (Against UniFirst)

COUNT XII: Wrongful Death Punitive Damages (Against UniFirst)

COUNT XIII: Loss of Consortium (Against UniFirst)

COUNT XIV: Punitive Damages (Against UniFirst)

7. Plaintiff LOUISE PANITZ as Administrator of the Estate of BURTON PANITZ claims to have suffered the following injuries as a result of the administration of the NECC drug: pulmonary infection; pain and suffering, and; death.

8. Plaintiff LOUISE PANITZ as Administrator of the Estate of BURTON PANITZ claims to have suffered damages in the as a result of the administration of the NECC drug in the amount of \$5,000,000.00.

9. Plaintiff reserves the right to amend this Complaint to add allegations and claims against individuals or entities currently omitted (in light of the Court's order permitting a Master Complaint naming defendants affiliated with NECC and currently participating in mediation by December 20) and to add or amend allegations against Defendants named herein based, in part, on further discovery.

WHEREFORE, Plaintiff demands judgment against the Defendants awarding compensatory damages, punitive damages, attorneys' fees, interest, costs of suit, and such other and further relief as the Court deems equitable and just.

JURY DEMAND

Plaintiff hereby demands a trial by jury.

Dated: New York, New York
November 25, 2014



Matthew T. Gammons, Esq.
ROSENBAUM & ROSENBAUM, P.C.
Attorney(s) for Plaintiff(s)
100 Wall Street, 15th Floor
New York, New York 10005
212-514-5007